IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

OP.No. 14533 of 1999(E)

PETITIONER:
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1. KERALA VYAPARI VYAVASAI EKOPANA SAMITHI
ADMINISTRATIVE OFFICE, VYAPARA BHAVAN, Bank ROAD,
CALICUT – 673 001. REPRESENTED BY ALEX M.CHACKO,
GENERAL SECRETARY, STATE EXECUTIVE COMMITTEE.

2. T.D.JOSEPH, STATE TREASURER,
K.J.DEVASSIA & SONS, M.L.RAOD, KOTTAYAM.

BY ADV. SRI.T.S.RADHAKRISHNA PILLAI
SRI.T.R.RAJEEV

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY THE PRINCIPAL
SECRETARY (FINANCE), NON-TAX REVENUE CELL DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE SECRETARY TO THE GOVERNMENT OF KERALA,
FOOD AND CIVIL SUPPLIES DEPARTMENT,
SECRETARIAT, THIRUVANANTHAPURAM.

3. THE COMMISSIONER OF CIVIL SUPPLIES,
COMMISSIONERATE OF CIVIL SUPPLIES,
PUBLIC OFFICE BUILDINGS,
THIRUVANANTHAPURAM.

BY ADV.SMT.BINDU, GOVERNMENT PLEADER

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 14533/1999

ORDER ON CMP NO. 23433/1999 IN O.P.No. 14533/1999

DISMISSED.

28/02/2007 SD/-(C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF ORDER GO(MS) NO. 666/99/FIN. DATED 01/03/1999 ISSUED BY 1ST RESPONDENT.

P2 : COPY OF REPRESENTATION OF STATE VICE PRESIDENT OF KERALA VYAPARI VYAVASAI EKOPANA SAMITHI TO HON'BLE MINISTER FOR FOOD AND CIVIL SUPPLIES.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 14533 of 1999 E

Dated, this the 28th day of February, 2007

J U D G M E N T

Petitioner is challenging Ext.P1 order, whereunder, user charges / licence fees have been increased. It is seen from Ext.P1 that even the increased fees is ridiculously low compared to the services rendered by Government. This original petition is pending for the last eight years. It is stated that the Planning Commission and State Planning Board expressed concern over low level of user charges and fees realized for various services rendered by the Government. In the first place, I find no ground to interfere with the revision of licence fee, which are very low in absolute terms. In any case, this Court has granted stay against the impugned order and since this order has passed eight years back, this writ petition is closed leaving freedom to the Government to fix revised user charges / licence fee, taking in to account all relevant considerations.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg